



IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

JFW

Applicant: Andrew J. Nelson et al.

Title: SYSTEM AND METHOD FOR DISPLAYING INFORMATION ON ATHLETIC EYEWEAR

Docket No.: 1878.001US1
Filed: April 13, 2004
Examiner: Jordan Marc Schwartz

Serial No.: 10/822,909
Due Date: August 1, 2005
Group Art Unit: 2873

MS Amendment

Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

We are transmitting herewith the following attached items (as indicated with an "X"):

- ☒ A return postcard.
- ☒ Response to Notice of Non-Responsive Amendment and Supplemental Amendment (9 Pages).
- ☒ Authorization to charge Deposit Account 19-0743 in the amount of \$50.00 to cover the fee for additional claims as calculated below.

If not provided for in a separate paper filed herewith, or if an additional fee is required due to changes to the claims, the fee has been calculated as follows:

CLAIMS AS AMENDED						
	(1) Claims Remaining After Amendment		(2) Highest Number Previously Paid For	(3) Present Extra	Rate	Fee
TOTAL CLAIMS	44	-	42	2	x 25.00 =	\$50.00
INDEPENDENT CLAIMS	5	-	5	0	x 100.00 =	\$0.00
[] MULTIPLE DEPENDENT CLAIMS PRESENTED						\$0.00
TOTAL						\$50.00

Please consider this a PETITION FOR EXTENSION OF TIME for sufficient number of months to enter these papers and please charge any additional fees or credit overpayment to Deposit Account No. 19-0743.

SCHWEGMAN, LUNDBERG, WOESSNER & KLUTH, P.A.
Customer Number 21186

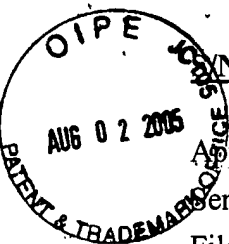
By: Thomas J. Brennan
Atty: Thomas F. Brennan
Reg. No. 35,075

CERTIFICATE UNDER 37 CFR 1.8: The undersigned hereby certifies that this correspondence is being deposited with the United States Postal Service with sufficient postage as first class mail, in an envelope addressed to: MS Amendment, Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450, on this 28 day of July, 2005.

LISA ROSORSKE
Name

Lisa Rosorske
Signature

SCHWEGMAN, LUNDBERG, WOESSNER & KLUTH, P.A.
(GENERAL)



10/822,909

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ATHLETIC EYEWEAR

**RESPONSE TO NOTICE OF NON-RESPONSIVE AMENDMENT AND
SUPPLEMENTAL AMENDMENT**

MS Amendment
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P.O. Box 1450
Alexandria, VA 22313-1450

In response to the Notice of Non-Responsive Amendment mailed July 1, 2005, and further in response to the Restriction Requirement mailed May 13, 2005, please consider the following remarks.

Applicant has reviewed the Restriction Requirement mailed May 13, 2005, wherein the Examiner has restricted the claims to one of the following inventions under 35 U.S.C. 121:

I. Claims 1-24 and 29. Claims 1-22 are drawn to a method of displaying performance information of athletic eyewear, classified in class 351, subclass 17. Claim 29 is being grouped together with Group I because it could be searched together with claims 1-10 without creating an undue burden on the Examiner.

II. Claims 25-28 and 30-34, drawn to athletic eyewear, classified in class 351, subclass 159.

III. Claims 35-42, drawn to an information display, classified in class 351, subclass 178.

Applicant elects, without traverse, the claims of Group I (claims 1-24 and 29), amends claims 30-34 to correct their dependency, and cancels claims 25-28 and 35-42.

In response to the Election of Species Requirement mailed May 13, 2005, Applicant elects Species Ia, having at least claims 1-10, 29-34, 43-45 and 47-56 readable thereon. Applicant believes claims 43, 44, and 47-56 are generic to all species. Applicant requests examination of all other species upon allowance of a generic claim.